IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL REVISION APPLICATION NO.212/2001
AND CIVIL APPLN. NO.188/2001.

1. M/s. South Konkan Distilleries,
a partnership firm constituted and
registered under the Indian
Partnership Act with its Office at
Virginkar building, Opp.
Rajendra Prasad Stadium,
Navelim, Margao, Goa.

2. Shivdas Gajanan Naik, son of
Gajanan Naik, of major age,
businessman, residing
above Goa Liquor Industries,
Khareband Road, Margao, Goa. ... Petitioners.

V/s.

1. Prabhakar Gajanan Naik,
son of Gajanan Naik, major in
age, businessman with office
Near Railway Gate,
Navelim, Margao, Goa.

2. Premanand Gajanan Naik, son of
Gajanan Naik, of major age,
businessman, residing above
Goa Liquor Industries,
Khareband Road, Margao, Goa.

3. Satchit Gajanan Naik, son of
Gajanan Naik, of major age,
businessman, residing above Goa
Liquor Industries,
Khareband Road, Margao, Goa.

4. Tulshidas Gajanan Naik,
son of Shri Gajanan Naik, major
in age, businessman with
Office at Naik Trading Corpora-
tion, near Railway Gate,
Margao, Goa. ..... Respondents.

Mr. S.G. Bhobe, Advocate for the petitioners.

Mr. A.D. Bhobe, Advocate for respondent No.1.

CORAM : F.I. REBELLO, J.

DATE : JULY 17, 2003.

ORAL JUDGMENT :

Heard learned Counsel for the parties. This revision is directed against the order which was passed on 5.2.2001. Subsequent to that, Section 115 of the C.P.C. stands amended by the Amendment Act of 1999. A Single Judge of this Court had taken a view that even pending revision applications would be governed by the provisions of Section 115 as amended. The Apex Court in Shiv Shakti Co-op. Housing Society, Nagpur vs. M/s. Swaraj Developers and ors. has upheld the Judgment of this Court. Considering that, in my opinion, the revision as filed, considering the amendment to 115, would not be maintainable and consequently, dismissed as not maintainable.

F.I. REBELLO, J.

ssm.